

1 AMENDMENT TO HOUSE BILL 3190

2 AMENDMENT NO. _____. Amend House Bill 3190 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Public Works Responsibility Act.

6 Section 5. Applicability. This Act applies to contracts
7 and subcontracts for public works entered into by the State,
8 by a unit of local government, or by a school district.

9 Section 10. Minority and female goals. Each contract
10 and subcontract for a public works contract must include a
11 provision setting forth the percentage of female and minority
12 workers that the contractor or subcontractor plans to employ
13 to perform work on the public works project. This provision
14 should, but is not required to, stress the importance of
15 hiring the percentage of females and minorities that is set
16 out in the contract or subcontract.

17 Section 15. Penalties. If any contractor or
18 subcontractor fails to employ the percentage of females and
19 minorities on a public works project as set forth in the
20 contract or subcontract, then the contractor or subcontractor

1 must pay a penalty in the amount of the price of the contract
2 or subcontract multiplied by the percentage of females and
3 minorities that the contractor or subcontractor planned to
4 employ. The penalty shall be paid to the governmental entity
5 that entered into the public works project. Any person who
6 violates this Act may not bid on any public works project for
7 a period of 2 years. A contractor or subcontractor is not
8 liable under this Act if he or she has made a good faith
9 effort to meet his or her commitments to hire female and
10 minority workers but has been unable to do so due to the
11 unavailability of female and minority workers. A contractor
12 or subcontractor is not liable under this Act if he or she
13 provides only goods and does not provide any services under
14 the contract or subcontract."